

Report to the Legislature

STATEWIDE HIPAA ASSESSMENT

Appendices Part II

GRAY DAVIS
Governor
State of California

GRANTLAND JOHNSON
Secretary
Health and Human Services Agency



BURT R. COHEN
Acting Director
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May 15, 2002

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G. ALL BUSINESS RELATIONSHIPS REPORTED BY DEPARTMENTS

Business Partners, Stakeholders and Trading Partners	Aging, Dept. of	Alcohol and Drug Programs, Dept of	Controller, State	Corrections, Dept of	Developmental Services, Dept of	Emergency Medical Services Authority	Employment Development Dept	Forestry and Fire Protection, Dept of	Health and Human Services Agency Data Center	Health Planning and Development, Statewide	Health Services, Dept of	Industrial Relations, Dept	Inspector General for Veterans Affairs	Managed Health Care, Dept of	Managed Risk Medical Insurance Board	Medical Assistance Commission, CA	Mental Health, Dept of	Personnel Administration, Dept of	Public Employees' Retirement System	Social Services, Dept of	Veterans Affairs, Dept of	Victims Compensation Board And Government Claims Board	Youth Authority, Dept of	Totals
Academics											X													1
Actuary/Auditing Firms															X									1
Adolescent Sibling Pregnancy Prevention Program											X													1
Adolescent Family Life Program											X													1
Adolescent Health Collaborative											X													1
ADP Community-Based Services Providers (900)		X																						1
Adult Day Home Care Providers	X																							1

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Advocacy Groups					X																			1
Aging, Department of											X									X				2
AIDS Medi-Cal Waiver Program											X													1
Alameda Alliance for Health											X													1
Alcohol and Drug Programs									X		X									X				3
Application Assistors															X									1
Applied Services Inc. (TPA)																		X						1
Area Agencies on Aging	X																							1
Attorneys - claimant and defense												X											X	2
Benefits Counselors											X													1
Blue Cross - PERSCare/Choice			X																					1

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Blue Cross of California											X						X							2
Blue Cross - Wellpoint, Price Waterhouse Coopers															X									1
BPT																	X							1
Breast and Cervical Cancer Control Program											X													1
Breast Cancer Early Detection Program											X													1
Bridge Program											X													1
California Dental Association											X													1
California Family Health Center											X													1
California Mental Health Association																	X							1

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CALOPTIMA (Orange County)											X													1
CalPERS																	X							1
Cancer Registry, CA											X													1
Case Management Program											X													1
Center for Health Training											X													1
Center for Medicaid and Medicare Services (CMS)											X						X							2
Centers for Disease Control				X							X												X	3
Child Health and Disability Prevention County Office											X													1
Child Health and Disability Prevention Providers											X													1

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Childhood Asthma Initiative											X													1
Childhood Injury Prevention, CA Center for											X													1
Children Services Providers, CA											X													1
Children's Treatment Program Providers											X													1
Claimants							X																	1
Clients-family members																	X							1
Clinical Laboratory Contractor																						X		1
Community Based Organizations		X									X													2
Community Health Care Providers					X																			1

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Community Health Group											X													1
CONREP																	X							1
Consultants											X													1
Consumer Affairs, Department of											X													1
Consumers and families					X																			1
Contra Costa Health Plan											X													1
Contract Physicians																	X							1
Contractor Providers				X													X							2
Controllers Office, State																		X						1
Corporations, Department																	X							1
Correctional Institution Pharmacy System																						X		1

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Corrections, Department of																	X							1
Counties (58)		X		X				X							X		X							5
County Administrations											X													1
County and HMO Managed Care/FFS Plans											X													1
County California Children Services Programs											X													1
County Child Health and Disability Prevention Programs											X													1
County Children Services Departments																				X				1
County Courts																	X							1
County Medical Services Program Administrative Office											X													1

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County Medical Services Program Board											X													1
County Medical Services Program Providers											X													1
County Mental Health Departments																	X							1
County Multi Senior Services Program Providers	X																							1
County Social, Public and Health Services Agencies (58)											X													1
County Welfare Offices (58)											X									X				2
Courts																	X							1
Data Niche											X													1
DDS Regional Centers					X																			1

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Delta Dental																	X							1
Dental Health Foundation											X													1
Developmental Services, Dept. of											X						X							2
Dialysis Centers				X																				1
District Attorneys																	X							1
Drug Firms											X													1
Early Intervention											X													1
Education, California Department of																	X							1
Electronic Data Information Clearinghouses											X													1

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Electronic Data Information Vendors and Practice Management Systems											X													1
Electronic Data Systems	X		X								X				X		X							5
Employers																			X					1
Employment Development Department											X													1
Expanded Access to Primary Care Program Providers											X													1
Family Planning Access Care and Treatment Family Planning Information and Education Program											X													1
Family Planning Access Care and Treatment Providers											X													1
Federal Bureau of Investigation (FBI)											X													1

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Federal Government		X									X													2
Federal Interval											X													1
First Data Bank											X													1
Franchise Tax Board											X													1
FYI Inc. Lockbox											X													1
Gold Country Partnership											X													1
Governor's Office																					X			1
Health and Human Services Agency		X															X							2
Health and Human Services Data Center	X				X						X													3
Health and Safety				X																				1
Health Care Alternatives															X									1
Health Care Providers	X													X			X						X	4
Health Centers											X													1

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Health Management Services											X													1
Health Maintenance Organizations (HMOs)																			X					1
Health Planning and Development, Statewide																X				X				2
Health Plan of San Joaquin											X													1
Health Plan of San Mateo											X													1
Health Plans														X										1
Health Resources and Services Administration											X													1
Health Services, Dept. of	X	X			X				X	X						X	X			X	X		X	10
Health Net											X													1
Healthplan of San Mateo											X													1
Highway Patrol, CA											X						X							2
HIV Transmission Prevention Program											X													1
HIV Transmission Prevention Project											X													1

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Hospitals				X						X	X					X					X			5
Independent Medical Review Organizations														X										1
Individual citizens											X													1
Industrial Relations, Dept. of											X													1
Inland Empire Health Plan											X													1
Insurance Companies					X						X	X			X		X	X	X		X			8
Internal Affairs, Office of				X																				1
Internal Revenue Services (IRS)											X													1
Inspector General, Office of the				X																			X	2
Justice, Department of				X							X												X	3

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Kaiser											X													1
Kern Family Health Care											X													1
Legislature																					X			1
Local Emergency Medical Services Agencies						X																		1
Local Health Jurisdiction											X													1
Local Health Officer				X																				1
Local Registration Districts (61)											X													1
Los Angeles Health Care											X													1
Male Involvement Program											X													1

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Managed Care Plans											X					X								2
Martin Marietta/CID											X													1
Maternal, Child and Adolescent Health											X													1
Maxicare											X													1
Maximum											X													1
MDO Independent Evaluators																	X							1
Medical Assistance Commission, CA											X													1
Medi-Cal Beneficiaries											X													1
Medi-Cal Dental Providers											X													1
Medi-Cal Program - Counties		X																						1
Medi-Cal Program - State DHS		X	X													X	X				X			5
Medical Providers					X		X	X						X			X	X						6
Medi-Cal Providers and Billers											X													1

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Medicare																	X				X			2
Medicare Crossover Billers, Intermediaries											X													1
Medicare Fiscal Intermediaries					X																			1
MEDSTAT											X													1
Mental Health, Dept. of		X			X				X		X						X			X			X	7
MetLife																		X						1
MMI, a program of the St. Paul Company											X													1
Molina Healthcare of California											X													1
Motor Vehicles, Department of											X													1
Multi Services Senior Program Providers	X																							1

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NAPS Laboratories (8) (Genetic Disease Lab.)											X													1
National Adolescent Health Information Center at UCSF											X													1
Newborn Hearing Screening Providers											X													1
Newborn Screening Area Service Centers											X													1
Newborn Screening Confirmatory Laboratories											X													1
Newborn Screening Metabolic Centers											X													1
NIGHT Program											X													1
Northern California Center											X													1
Office of AIDS				X																				1
Oncology Services				X																				1

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Other Dental Insurance Carriers											X													1
Outside Hospitals				X																				1
Parole Board																							X	1
Participants in administrative litigation											X													1
Partnership Health Plan of California											X													1
Patient Discharge Data Program										X														1
Patients' Families																					X			
People of Color											X										X			2
Plaintiffs, contractual and non-contractual																							X	1
Prenatal Care Providers											X													1
Prepaid Dental Plans																		X						1
Prison Terms, Board of																	X							1
Private Organizations											X													1

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Protection and Advocacy, Inc.																	X							1
Providers of Emergency Medical Services											X													1
Public Defenders Offices																	X							1
Public Employees Retirement System																		X						1
Radiology Services				X																				1
Reference Laboratories (Genetic Disease Labs.)											X													1
Rehabilitation, Department of											X						X							2
Research Contractors																						X		1
Researchers											X													1
Resistance Testing											X													1
Restitution Recovery Program																						X		1

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Runyon, Saltzman and Einhorn, Inc											X													1
San Francisco Health Plan											X													1
Santa Clara County Health Plan											X													1
Santa Cruz - Monterey Medical Care Commission											X													1
Scan Health Plan											X													1
School Districts											X						X							2
Secretary of State											X													1
Secret Service																	X							1
Self-Insured Companies												X												1

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Business Partners, Stakeholders and Trading Partners	Aging, Dept. of	Alcohol and Drug Programs, Dept of	Controller, State	Corrections, Dept of	Developmental Services, Dept of	Emergency Medical Services Authority	Employment Development Dept	Forestry and Fire Protection, Dept of	Health and Human Services Agency Data Center	Health Planning and Development, Statewide	Health Services, Dept of	Industrial Relations, Dept	Inspector General for Veterans Affairs	Managed Health Care, Dept of	Managed Risk Medical Insurance Board	Medical Assistance Commission, CA	Mental Health, Dept of	Personnel Administration, Dept of	Public Employees' Retirement System	Social Services, Dept of	Veterans Affairs, Dept of	Victims Compensation Board And Government Claims Board	Youth Authority, Dept of	Totals
Sharp Health Plan											X													1
Sickle Cell Counseling Centers											X													1
Social Marketing Programs											X													1
Social Security Administration											X						X							2
Social Security Administration National Computer Center											X													1
Social Services, Dept. of	X			X					X		X						X						X	6
Social Services, Administrative Law																	X							1
Social Services - Disability Evaluation			X														X							2
Solano Partnership Healthplan											X													1
State Agencies		X																X						2

Orange denotes State Departments, blue denotes others.

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G. All Business Relationships Reported by Departments

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Business Partners, Stakeholders and Trading Partners	Aging, Dept. of	Alcohol and Drug Programs, Dept of	Controller, State	Corrections, Dept of	Developmental Services, Dept of	Emergency Medical Services Authority	Employment Development Dept	Forestry and Fire Protection, Dept of	Health and Human Services Agency Data Center	Health Planning and Development, Statewide	Health Services, Dept of	Industrial Relations, Dept	Inspector General for Veterans Affairs	Managed Health Care, Dept of	Managed Risk Medical Insurance Board	Medical Assistance Commission, CA	Mental Health, Dept of	Personnel Administration, Dept of	Public Employees' Retirement System	Social Services, Dept of	Veterans Affairs, Dept of	Victims Compensation Board And Government Claims Board	Youth Authority, Dept of	Totals
State Compensation Insurance Fund																		X						1
State Controllers Office											X													1
State TB Controllers				X																				1
Third-Party Administrators												X			X			X	X					4
Treatment Education											X													1
Tucker Alan Consulting Firm											X													1
Tumor Registry, CA											X													1
UCLA Cord Blood Bank											X													1

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G. All Business Relationships Reported by Departments

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Business Partners, Stakeholders and Trading Partners	Aging, Dept. of	Alcohol and Drug Programs, Dept of	Controller, State	Corrections, Dept of	Developmental Services, Dept of	Emergency Medical Services Authority	Employment Development Dept	Forestry and Fire Protection, Dept of	Health and Human Services Agency Data Center	Health Planning and Development, Statewide	Health Services, Dept of	Industrial Relations, Dept	Inspector General for Veterans Affairs	Managed Health Care, Dept of	Managed Risk Medical Insurance Board	Medical Assistance Commission, CA	Mental Health, Dept of	Personnel Administration, Dept of	Public Employees' Retirement System	Social Services, Dept of	Veterans Affairs, Dept of	Victims Compensation Board And Government Claims Board	Youth Authority, Dept of	Totals
UCSF - Center for Reproductive Health Research and Policy											X													1
United States Department of Agriculture											X													1
Universal Care											X													1
Universities																								1
University of California San Diego											X													1
University of California San Francisco																	X							1
U.S. Department of Veterans Affairs																				X				1
Vendor Service Providers					X																			1
Veterans Affairs, Department of													X											1
Veterans Homes													X											1

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G. All Business Relationships Reported by Departments

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Business Partners, Stakeholders and Trading Partners	Aging, Dept. of	Alcohol and Drug Programs, Dept of	Controller, State	Corrections, Dept of	Developmental Services, Dept of	Emergency Medical Services Authority	Employment Development Dept	Forestry and Fire Protection, Dept of	Health and Human Services Agency Data Center	Health Planning and Development, Statewide	Health Services, Dept of	Industrial Relations, Dept	Inspector General for Veterans Affairs	Managed Health Care, Dept of	Managed Risk Medical Insurance Board	Medical Assistance Commission, CA	Mental Health, Dept of	Personnel Administration, Dept of	Public Employees' Retirement System	Social Services, Dept of	Veterans Affairs, Dept of	Victims Compensation Board And Government Claims Board	Youth Authority, Dept of	Totals
Veterans Service Organizations																					X			1
Victims Compensation Programs																						X		1
Vision Services Plan																	X							1
Viral Load Testing											X													1
Western Health Advantage											X													1
Women Infants and Children (WIC) local agencies											X													1
Workers Compensation Appeals Board							X																	1
Workers Compensation Insurers							X																	1
Youth Drop-In Centers											X													1

Orange denotes State Departments, blue denotes others.

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G. All Business Relationships Reported by Departments

REPORT TO THE LEGISLATURE –APPENDIX G

Business Partners, Stakeholders and Trading Partners	Aging, Dept. of	Alcohol and Drug Programs, Dept of	Controller, State	Corrections, Dept of	Developmental Services, Dept of	Emergency Medical Services Authority	Employment Development Dept	Forestry and Fire Protection, Dept of	Health and Human Services Agency Data Center	Health Planning and Development, Statewide	Health Services, Dept of	Industrial Relations, Dept	Inspector General for Veterans Affairs	Managed Health Care, Dept of	Managed Risk Medical Insurance Board	Medical Assistance Commission, CA	Mental Health, Dept of	Personnel Administration, Dept of	Public Employees' Retirement System	Social Services, Dept of	Veterans Affairs, Dept of	Victims Compensation Board And Government Claims Board	Youth Authority, Dept of	Totals
Youth Offender Courts																							X	1
Totals	9	10	4	16	11	1	4	2	4	4	145	4	2	4	8	5	38	14	4	7	11	2	14	322

Figure 20 - All Business Relationships Reported by Departments

Orange denotes State Departments, blue denotes others.

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G. All Business Relationships Reported by Departments

REPORT TO THE LEGISLATURE –APPENDIX G

Times Departments Identified as Business Partners by Other Departments

Business Partners, Stakeholders and Trading Partners	Totals Times Identified
Department of Aging	2
Alcohol and Drug Programs	3
California Public Employees' Retirement System	1
Department of Consumer Affairs	1
State Controllers Office	1
Department of Corporations	1
Department of Corrections	1
Department of Developmental Disabilities	2
Department of Education	1
Employment Development Department	1
Franchise Tax Board	1
Health and Human Services Data Center	3
Office of Statewide Health Planning and Development	2
Department of Health Services	15
California Highway Patrol	2
Department of Industrial Relations	1
Inspector General	2
Department of Justice	3
Medical Assistance Commission	1
Department of Mental Health	7
Department of Motor Vehicles	1
Parole Board	1
Board of Prison Terms	1
Department of Rehabilitation	2
Secretary of State	1
Department of Social Services	9
State Compensation Insurance Fund	1

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Business Partners, Stakeholders and Trading Partners	Totals Times Identified
Department of Veterans Affairs	1
Workers Compensation Appeals Board	1
Totals	69

Figure 20 - Times Departments Identified as Business Partners by Other Departments

NOTE: Blue indicates departments that indicated HIPAA impact.

H. DETAIL OF STATE DEPARTMENT CURRENT HIPAA REGULATIONS IMPACT

State Entity	Transactions and Codes	Privacy
Aging, Department of	X	X
Alcohol and Drug Programs, Department of	X	X
Controller, State	X	X
Corrections, Department of	X	X
Developmental Services, Department of		X
Emergency Medical Services Authority		X
Employment Development Department	X	X
Forestry and Fire Protections, Department of		X
Health and Human Services Agency Data Center		X
Health Planning and Development, Office of Statewide	X	X
Health Services, Department of	X	X
Industrial Relations, Department of	X	X
Insurance, Department of	X	X
Managed Health Care, Department of	X	X
Managed Risk Medical Insurance Board	X	X
Medical Assistance Commission	X	
Mental Health, Department of	X	X
Office of the Inspector General for Veterans Affairs		X
Personnel Administration, Department of	X	X
Public Employees Retirement System	X	X
Social Services, Department of*		
Veterans Affairs, Department of	X	X
Youth Authority, Department of	X	X

*The Department of Social Services has not yet determined the exact impact on their business practices.

I. STEPS TO HIPAA COMPLIANCE

To support the tracking and reporting of state department progress towards HIPAA compliance, the following standard definitions of project stages will be used by OHI:

- 1) **Project Initiation** (also called Awareness) needs to be established with executive level sanctioning of the efforts. Awareness can be established in a variety of ways: bringing in industry specialists, attending conferences, reviewing the federal rules and reading credible literature. This step will also help identify the main issues the program may have to address and to create an initial Project Plan and tasks to establish compliance. In this step it is important to establish a Project Leader and Workgroup. In this first step, organizations need to begin participating in the Statewide HIPAA Workgroup and Sub-Workgroups to help coordinate and communicate issues and resolutions.
- 2) Conduct an **Initial Assessment** (also called an Inventory) to establish which programs and functions are impacted. This may require training staff and interactions with your business partners. This step will also identify **External Interfaces** that you will need to interact with as you implement any changes.
- 3) A **Project Plan** is established from the tasks initially identified for achieving compliance. The Plan will identify the main tasks and milestones for achieving compliance, designate staff for each task and establish dates for task completion. The Plan becomes a tool for monitoring progress and addressing issues as your project proceeds. The Plan also helps establish a detailed resource and cost estimate for the project. A more detailed Project Plan and resource / cost estimate can be established after the Gap Analysis is completed. Project Plans need to evolve as the project and resources change.
- 4) A **Detailed Assessment** (also called a Gap Analysis or Impact Assessment) should be performed on the programs and functions that require change. The Gap Analysis looks at the gaps between the current process and procedures compared to the Federal HIPAA rules. It will also investigate the options and desired tasks needed for achieving compliance to the rules.
- 5) **Implementation** (also called Remediation) is the final step. It involves making the changes to processes and procedures, revising user instructions, training staff, testing all changes, testing with your business partners, having a coordinated implementation process, and monitoring the new processes.

Variations of these steps may be needed for different organizations depending on the extent of changes and number of business partners involved. Critical throughout the process is top management involvement, monitoring progress toward goals, and communication and coordination with your business partners. With HIPAA being a series of federal rules, being released and revised at periodic points, several of the above steps may need to be repeated as the rules change.

J. STATUS OF DEPARTMENT REPORTED PROGRESS - HIPAA IMPLEMENTATION

State Entity	Project Initiation	Initial Assessment	Project Plan	Detailed Assessment	Implementation
Department of Aging	X	X			
Department of Alcohol and Drug Programs	X				
State Controller	X	X	X	X	
Department of Corrections					
Department of Developmental Disabilities	X	X	X		
Emergency Medical Services Agency	X	X	X		
Employment Development Department	X	X			
Department of Forestry and Fire Protection	X	X			
Health Services	X				
Health and Human Services Agency Data Center	X				
Office of Statewide Health Planning and Development	X	X			
Departmental of Industrial Relations					
Department of Insurance	X	X	X		
Department of Managed Health Care	X	X			
Managed Risk Medical Insurance Board	X	X			
Medical Assistance Commission	X	X			
Department of Mental Health	X	X			
Office of the Inspector General of Veterans Affairs	X	X			
Department of Personnel Administration	X				
Public Employees Retirement System	X	X	X	X	
Department of Social Services	X	X			
Department of Veterans Affairs	X		X		
Department of Youth Authority	X				

K. DEPARTMENTS THAT HAVE CONTRACTED OUT

The following table shows the impacted departments that are using contractors as well as the name of the contractor and the types of contracted work:

State Entity	Is HIPAA work contracted out?		Contractor	Portion Contracted Out
	Yes	No		
Aging, Department of		X		
Alcohol and Drug Programs, Department of	X		Best Consulting, Shooting Star Solutions, W. Mercer	
Controller, State		X		
Corrections, Department of		X		
Developmental Services, Department of	X			
Emergency Medical Services Authority		X	ESS Group; Technisource	IT Remediation of Transactions and Code Sets
Employment Development Department		X		
Forestry and Fire Protections, Department of		X		
Health and Human Services Agency Data Center		X		
Health Planning and Development, Office of Statewide		X		
Health Services, Department of	X		Hubbert Consulting, Lucenst, IBM, JK Corporate, EDS, Delta Dental	Project Management Office (PMO), Security, Information Technology Systems Division (ITSD) PMO, ITSD – Medi-Cal
Industrial Relations, Department of				
Insurance, Department of		X		
Managed Health Care, Department of		X		
Managed Risk Medical Insurance Board	X		EDS for Health Families Program (HFP), Health Alternatives for Access for Infants & Mothers (AIM), and Blue Cross for Major Risk Medical Insurance Program (MRMIP)	MRMIP, HFP, AIM enrollment transactions
Medical Assistance Commission		X		
Mental Health, Department of	X		Hubert Systems	Awareness and initial

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State Entity	Is HIPAA work contracted out?		Contractor	Portion Contracted Out
	Yes	No		
				assessment
Office of the Inspector General for Veterans Affairs		X		
Personnel Administration, Department of		X		
Public Employees Retirement System		X		
Social Services, Department of	X		Management Information System	Initial Assessment
Veterans Affairs, Department of		X	Considering a contract for Assessment/Business Practices Review	
Youth Authority, Department of		X		

Figure 23 - Departments That Have Contracted Out

L. STRATEGIES FOR HIPAA PROJECT MANAGEMENT

State Entity	Project Management Strategies
Aging, Department of	Coordination with other entities including local Areas on Aging and Department of Health Services
Alcohol and Drug Programs, Department of	Several interdisciplinary workgroups have been formed: transactions and claims attachments, code sets and unique identifiers, privacy, security and enforcement. In addition, HIPAA steering committee (internal) has been formed composed of the Chief Deputy Director, Department heads and an executive sponsor.
Developmental Services, Department of	Addressing each HIPAA regulation separately upon release as a final ruling. Funding was obtained in FY 2000/01 to provide staff resources to allow assessment of the impact of each final regulation and to initiate compliance activities. This includes the establishment of two Statewide workgroups to coordinate compliance efforts: one with representation from all of the developmental centers and one with the regional center representation. An Executive Steering Committee has been established that meets monthly to review the overall effort toward compliance.
Employment Development Department	Established department-wide interdisciplinary team
Health and Human Services Agency Data Center	Dedicated full time position to HIPAA. Good executive awareness and support.
Statewide Health Planning and Development	HIPAA team which attends Statewide workgroup meetings
Health Services, Department of	<ol style="list-style-type: none"> 1) Establishment of a department-wide project office (OHC) to provide State and national expertise in HIPAA as well as expertise in project management practices; 2) Designating single point of contacts (SPOCs) within each division/program area to work with OHC Program Area Liaisons (PALs); 3) OHC PALs and Subject Matter Experts (SMEs) provide assistance and guidance to ensure the division/program area is on track and consistent in their approach to HIPAA; 4) OHC's SMEs lead workgroups in the following HIPAA related areas: Data Content/Transactions, Trading Partners, Project Management, and Privacy; 5) OHC has created training curriculum and schedules to educate State staff in HIPAA regulations and project management practices; 6) Development of an Issues Tracking System as well as a resolution approval process; 7) Information Technology Services Division (ITSD) HIPAA Implementation Project Team; and 8) Privacy and Security Assessment Team.
Insurance, Department of	Established interdisciplinary team and integrated/interdepartmental implementation plan
Managed Risk Medical Insurance Board	Has third party administrator of their 3 programs to implement most of HIPAA
Mental Health, Department of	Involvement in department workgroups

M. DEPARTMENTAL INVOLVEMENT WITH NATIONAL ORGANIZATIONS

			Alcohol and Drug Programs	Dept. of Developmental Services	Health Planning and Development	Dept. of Health Services	Dept. of Insurance	Dept. of Mental Health
NATIONAL ORGANIZATIONS	SNIP.Wedi	Strategic National Implementation Process. Workgroup for Electronic Data Interchange	X			X		
	PHDSC	Public Health Data Standards Consortium			X			
	NCVHS	National Committee on Vital and Health Statistics				X		
	NMEH	National Medicaid EDI HIPAA		X				
	NAHDO	National Association of Health Data Organizations and			X			
	HL7	Health Level 7 *(DSMO)				X		
	NUCC & NUBC	National Uniform Claim Committee & National Uniform Billing Committee *(DSMOs)				X		
	X12	Accredited Standards Committee X12 *(DSMO)				X		
	NAIC	National Association of Insurance Commissioners					X	
	AHIMA	Health Information Management Association						X

*DSMO - Designated Standard Maintenance Organizations (DSMOs). These organizations maintain standards for health care transactions adopted by the federal government, and receive and process requests for adopting a new standard or modifying an adopted standard

N. DEPARTMENTS REPORTING POTENTIAL HIPAA IMPACT

Several departments who have IIHI provided information with their assessments that indicated that they may be impacted by HIPAA in the future, even though indicating that they were not impacted by HIPAA. Depending on future HIPAA regulations or stakeholder impact, the current assessments for these departments may change.

The **Department of Information Technology** (DOIT) stated that the Department's workload will be impacted seriously by HIPAA. The impacts are in the following areas:

- Project Review and Oversight
- Verification of Technical And Operational Aspect of IT Security And Privacy
- Administration of Each Contract
- Development of Enterprise Initiatives Related to Application Infrastructure
- Development of Enterprise Policies And Procedures/Incorporation into SAM

The **California Department of Child Support** (CDSS) reported that the Department trades information with Franchise Tax Board, Department of Health Services, Department of Justice, Department of Consumer Affairs and the counties. CalOHI will continue to work with CDSS to determine the impact HIPAA will have on their business operations.

The **California State Teachers' Retirement System** (CalSTRS) noted that independent medical providers review hard copy files of personal health information. The files are maintained at CalSTRS. Information from the hard copy files are occasionally faxed and/or shared via telephone. No personal health information is saved, shared or otherwise exchanged via computer or a computer related medium. Also, CalSTRS pays Medicare Part A premiums and deducts Medicare Part B premiums for the CalSTRS Defined Benefit Program members.

The **Department of Rehabilitation** is not impacted by HIPAA. The U.S. Department of Education, Rehabilitation Services Administration released an information memorandum that stated that HIPAA regulations do not apply to State vocational rehabilitation agencies. However, the Department of Rehabilitation indicated that the federal Rehabilitation Services Administration may adopt some of the standard transactions and code sets for disability codes within the next two to three years, but not as a requirement of HIPAA.

The **Athletic Commission of the Department of Consumer Affairs** stated that the commission is not impacted by data content changes. However, this decision may change depending on how the data is provided by the stakeholders. The stakeholders include doctors and laboratories that provide medical information on boxers and martial arts fighters via mail and fax.

The **Victim Compensation and Government Claims Board** determined that the Board is not impacted by HIPAA. However, the Board may become impacted if it automates its claims system. In the U.S. Department of Health and Human Services (DHHS) preamble to the Privacy Rule, DHHS agree that a state Crime Victim Compensation Program is not a covered entity when it is not determined to be a health care provider that conducts standard transactions, a health plan, or a health care clearinghouse.

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O. STATE DEPARTMENTS REPORTING NO IIHI

Administrative Law, Office of
African American Museum, California
Aging, California Commission on
Agricultural Labor Relations Board
Air Resources Board
Alcoholic Beverage Control Appeals Board
Alcoholic Beverage Control, Department of
Alternative Energy and Advanced Transportation Financing Authority
Arts Council, California
Audits, Bureau of State
Boating and Waterways, Department of
Building Standards Commission, California
Child Development Policy Advisory Committee
Citizens Compensation Commission
Coachella Valley Mountains Conservancy
Coastal Conservancy, State
Colorado River Board of California
Community Colleges of California, Board of Governors
Community Services and Development, Department of
Conservation, Department of
Consumer Affairs, Department of
Accountancy, Board of (Consumer Affairs)
Architectural Examiners Board (Consumer Affairs)
Behavioral Science Examiners, Board of (Consumer Affairs)
Cemetery/Funeral Program (Consumer Affairs)
Court Reporter Board of California (Consumer Affairs)
Dental Board of California (Consumer Affairs)
Nursing Home Administrator Program (Consumer Affairs)
Osteopathic Medical Board of California (Consumer Affairs)
Registered Nursing, Board of (Consumer Affairs)
Structural Pest Control Board (Consumer Affairs)
Conservation, Department of
Corporations, Department of
Correctional Peace Officer Standards, Commission on
Criminal Justice Planning, Office of
Corrections, Board of
Debt and Investment Advisory Commission
Developmental Disabilities, Council on
Debt Limit Allocation Committee, California
Delta Protection Commission
Education Facilities Authority
Electricity Oversight Board

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Environmental Health Hazard Assessment, Office of
Environmental Protection Agency, California
Equalization, Board of
Exposition and State Fair, California
Fair Employment and Housing Commission
Fair Political Practices Commission
Financial Institutions, Department of
Fish and Game, Department of
Food and Agriculture, Department of
Franchise Tax Board
General Services, Department of
Governor's Office
Health and Human Services Agency
Health Facilities Financing Authority
Highway Patrol, California Department of
Horse Racing Board, California
Housing and Community Development, Department of
Housing Finance Agency
Independent Living Council, State
Industrial Development Financing Advisory Commission
Information Technology, Department of
Integrated Waste Management Board, California
Law Revision Commission, California
Lottery Commission, California State
Mandates, Commission on State
Military Department - Office of the Adjutant General
Native American Heritage Commission
New Motor Vehicle Board
Occupational Information Coordinating Committee, California
Occupational Safety and Health Appeals Board
Parks and Recreation, Department of
Pollution Control Financing Authority
Post Secondary Education Commission, California
Public Employment Relations Board
Public Utilities Commission
Prison Industry Authority
Real Estate, Department of
Planning and Research, Office of
Resources Agency
San Francisco Bay Conservation and Development Commission
San Joaquin River Conservancy
Science Center, California
Scholarshare Investment Board
School Finance Authority
Secretary of State
Seismic Safety Commission
State Lands Commission

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State Library
Stephen P. Teale Data Center
Student Aid Commission, California
Summer School for the Arts, California State
Tahoe Conservancy
Tax Credit Allocation Committee
Technology, Trade and Commerce Agency
Toxic Substance Control, Department of
Traffic Safety Program, California
Treasurer, State
Uniform State Laws, California Commission
University of California (Not a State Entity for SB 456)
Urban Waterfront Area Restoration Financing Authority
Water Resources, Department of
Water Resources Control Board, State
Wildlife Conservation Board
California Workforce Investment Board
105

Figure 27 - Departments Reporting No IIHI

P. CalOHI RESPONSIBILITIES

SB 456 (Speier) gives CalOHI a broad span of responsibility. The responsibilities include:

- ❖ Standardize the implementation process used by all State departments.
- ❖ Develop a master plan and overall strategy for statewide HIPAA implementation.
- ❖ Specify tools to be used by State departments.
- ❖ Develop uniform policies on privacy, security, and others.
- ❖ Evaluate and monitor implementation of HIPAA in California.
- ❖ Determine the extent of compliance with HIPAA.
- ❖ Provide technical assistance to the State departments.
- ❖ Review and approve all HIPAA-related funding requests from State departments.
- ❖ Assess staffing levels for HIPAA implementation in State departments.
- ❖ Review and approve contracts related to HIPAA for State departments.
- ❖ Review and approve HIPAA-related federal and State legislative proposals and analyses.
- ❖ Ensure State departments claim federal funding where appropriate.
- ❖ Provide ongoing support of project management offices for State departments.
- ❖ Provide training on HIPAA compliance policies and procedures.

Q. ACCOMPLISHMENTS AND NEXT STEPS FOR CalOHI

Accomplishment/Next Step	SB 456 Requirement	Status
Initial Assessment and Legislative Report	✓ Assess all state entities and report to the Legislature on the results of the assessment to determine HIPAA impact.	✓ Assessment is complete. Legislative report being finalized.
Advisory Committee	✓ Establish an advisory committee to meet at least two times a year. Representatives include county government, consumers, provider groups, federal government, judicial council, health care advocates, nonprofit health care organizations, public health systems and the private sector.	✓ Advisory committee has been established and first meeting was April 26, 2002
Website	✓ Establish a Web site to disseminate HIPAA implementation information.	✓ Website initial development and release completed April 2002
Legislative/Regulatory Review	<ul style="list-style-type: none"> ✓ Review and approve all HIPAA-related federal and State legislative analysis by state entities. ✓ Review and approve all HIPAA-related federal and State legislative proposals. 	<ul style="list-style-type: none"> ✓ Policy and procedure completed by April 2002. ✓ Policy and procedure completed August 2002.
Master Plan and Standardization for Statewide Implementation	<ul style="list-style-type: none"> ✓ Develop a master plan and overall strategy for HIPAA implementation. ✓ Standardize the implementation process used by all state entities. ✓ Specify tools to be used by state entities. ✓ Provide technical assistance to the state entities. 	<ul style="list-style-type: none"> ✓ Developing template for Departments to submit their plans. Based upon these plans and their deliverables and milestones, CalOHI will then develop one master plan. ✓ Actively collaborating with Statewide HIPAA steering committee and sub workgroups to standardize the process and develop tools. Information and tools will be disseminated via information and policy memorandums and the CalOHI website. ✓ Sponsoring and encouraging statewide enterprise efforts to maximize resources (time, staff, funding).

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Accomplishment/Next Step	SB 456 Requirement	Status
Policy Development	<ul style="list-style-type: none"> ✓ Develop uniform policies on privacy, security and others. ✓ Consult on policies with representatives from private sector, state government and other public entities affected by HIPAA. 	<ul style="list-style-type: none"> ✓ Establishing uniform policy and procedure development process with the collaboration of statewide steering committee and sub workgroups, the statewide advisory committee, other states, and the federal government. ✓ Collaborating with DOIT on development of statewide security policy. ✓ Collaborating on privacy procedures with the State Office of Privacy Protection in the Department of Consumer Affairs.
Evaluation and Monitoring	<ul style="list-style-type: none"> ✓ Evaluate and monitor implementation of HIPAA in California. ✓ Determine extent of compliance with HIPAA. 	<ul style="list-style-type: none"> ✓ All CalOHI staff are assigned as liaisons to all impacted Departments and work with each Department to evaluate and monitor implementation activities. ✓ Procedures for review of compliance activities are being planned as implementation of each phase of HIPAA actually occurs.
Funding/Project Approval	<ul style="list-style-type: none"> ✓ Department of Finance (DOF) Quarterly Report to Legislature ✓ Review and approve all HIPAA-related funding requests from state entities including requests for appropriations through Budget Act or other legislation and requests for lump sums from DOF. 	<ul style="list-style-type: none"> ✓ CalOHI is collecting information on expenditure, staffing, and project status and providing that information to DOF. ✓ CalOHI is reviewing all BCPs that have been submitted to DOF and is engaged in policy and fiscal a process where BCPs will be submitted for CalOHI review prior to submission to DOF.
	<ul style="list-style-type: none"> ✓ Provide DOF with recommendations on implementation expenditures including FSRs and SPRs. 	<ul style="list-style-type: none"> ✓ Policies and procedures, in collaboration with other control discussions with DOF. ✓ CalOHI is working with DOF to develop agencies, including review of FSRs SPRs by CalOHI, are under development to provide a streamlined process for the review and approval of FSRs, and SPRs from the Departments.
	<ul style="list-style-type: none"> ✓ Ensure that each state entity claim federal funding where appropriate. ✓ Assess staffing levels for HIPAA implementation in state entities and OHI once every three years. 	<ul style="list-style-type: none"> ✓ CalOHI is collaborating with the Department of Health Services, Office of HIPAA Compliance to maximize all available federal funding. CalOHI will issue Fiscal Claiming Instructions as appropriate. ✓ In addition, CalOHI is collecting, reviewing, and approving this information from state entities as part of the quarterly report data collection process and is making recommendations to DOF.

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Accomplishment/Next Step	SB 456 Requirement	Status
	<ul style="list-style-type: none"> ✓ Report to the Legislature, upon its request, any services or programs that are temporarily reduced or suspended due to redirection of funds for HIPAA compliance activities. 	<ul style="list-style-type: none"> ✓ CalOHI collected this information on the recently completed statewide HIPAA assessment and the results are provided in this Legislative Report. ✓ CalOHI collects this information as part of the quarterly report data collection process and is prepared to provide the information to the Legislature when requested.
Contracts/Expenditures	<ul style="list-style-type: none"> ✓ Review and approve contracts related to HIPAA. ✓ Review Department expenditures as related to HIPAA. 	<ul style="list-style-type: none"> ✓ CalOHI is collecting, reviewing and approving HIPAA related contracts and expenditures as part of the quarterly report data collection process.
National Representation	<ul style="list-style-type: none"> ✓ Represent California in discussions at the national level. 	<ul style="list-style-type: none"> ✓ Involved in monthly national HIPAA teleconference calls. ✓ Representing California at national HIPAA conferences as participants and speakers. ✓ Facilitating collaboration of impacted Departments to provide comments on California issues to national standard setting organizations.

Figure 28 – Accomplishments and Next Steps for CalOHI